



DEPARTMENT OF THE NAVY  
SOUTHWEST DIVISION  
NAVAL FACILITIES ENGINEERING COMMAND  
1220 PACIFIC HIGHWAY  
SAN DIEGO, CA 92132-5190

M60050.002485  
MCAS EL TORO  
SSIC #5090.3

5090  
Ser 06CC.DG/0264  
March 08, 2001

Mr. John Broderick  
California Regional Water Quality Control Board  
Santa Ana Region  
3737 Main Street, Suite 500  
Riverside, CA 92501-3339

Dear Mr. Broderick:

The Department of Navy (DoN) has received the Santa Ana Regional Water Quality Control Board's (RWQCB) Authorization to Discharge No. 96-18-181 dated February 21, 2001. This Authorization was for the DoN's IRP Site 16 cleanup, pursuant to Waste Discharge Requirement Order No. 96-18.

As reflected in the January 26, 2001, letter from Mr. John Broderick to Mr. Dean Gould, the DoN has "agree-to-disagree" with the RWQCB concerning the applicability of the permit exclusion of Section 121(e) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) to this Site 16 discharge. Consistent with this "agree-to-disagree" compromise, the DoN continues to maintain that this discharge is exempt from such permit requirements under CERCLA as explained in Mr. Gould's letter to Mr. Broderick dated December 27, 2000. In addition, consistent with the "agree-to-disagree" compromise, the DoN agrees to comply with the substantive requirements of this permit as a means of ensuring compliance with the substantive provisions of the Santa Ana Regional Water Quality Control Plan ("Basin Plan") and other State "applicable or relevant and appropriate" requirements (ARARs) as provided by Section 121(d) of CERCLA.

We appreciate your organizations' efforts in working to resolve this issue, and assistance in developing an approach which is in support of the IRP for MCAS El Toro. We will continue to keep the BCT apprised of progress at Site 16. Please contact Mr. Marc Smits at (619) 532-0793, or myself at (619) 532-0784 should you have any questions on these documents.

Sincerely,

DEAN GOULD  
Base Realignment and Closure  
Environmental Coordinator  
By direction of the Commander

5090  
Ser 06CC.DG/0264  
March 08, 2001

Copy to:  
United States Environmental Protection Agency, Region IX  
Hazardous Waste Management Division (SFD 8-2)  
ATTN: Ms. Nicole Moutoux  
75 Hawthorne Street  
San Francisco, CA 94105-3901

Ms. Triss Chesney  
State of California Environmental Protection Agency  
Department of Toxic Substances Control  
Base Closure Unit  
Southern California Operations  
5796 Corporate Avenue  
Cypress, CA 90630-4700

Ms. Polin Modanlou  
El Toro Master Development Program  
10 Civic Center Plaza, Second Floor  
Santa Ana, CA 92701

Mr. Greg F. Hurley  
Restoration Advisory Board Co-Chair  
Kutak Rock  
620 Newport Center Drive, Suite 450  
Newport Beach, California 92660

Ms. Charly Wiemert  
Logistics Systems Analyst  
P.O. Box 51718  
Irvine, CA 92619-1718



BECHTEL NATIONAL INC.

CLEAN II TRANSMITTAL/DELIVERABLE RECEIPT

Contract No. N-68711-92-D-4670

Document Control No.: CTO-0164/0243

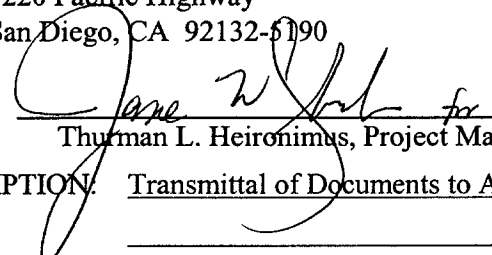
File Code: 0216

TO: Contracting Officer  
Naval Facilities Engineering Command  
Southwest Division  
Mr. Richard Selby, Code 02R1  
1220 Pacific Highway  
San Diego, CA 92132-5190

DATE: August 23, 2001

CTO #: 0164

LOCATION: MCAS El Toro, CA

FROM:   
Thurman L. Heironimus, Project Manager

DESCRIPTION: Transmittal of Documents to Administrative Record

TYPE: ☐ Contract Deliverable (Cost) ☐ CTO Deliverable (Technical) ☒ Other

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(PM to Identify)

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COPIES TO (Include Name, Navy Mail Code, and No. of Copies):

**SWDIV:**  
G. Tinker, 06CC.GT (10)  
R. Selby, 02R1 (1C)  
D. Gould, 06CM.DG (1C)  
D. Silva, 05G.DS (2C/2E for AR)\*

**BECHTEL** (Distributed by Bechtel):  
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CLEAN II Program  
Bechtel Job No. 22214  
Contract No. N68711-92-D-4670  
File Code: 0216

**IN REPLY REFERENCE: CTO-0164/0243**

August 23, 2001

Contracting Officer  
Naval Facilities Engineering Command  
Southwest Division  
Mr. Richard Selby, Code 02R1  
1220 Pacific Highway  
San Diego, CA 92132-5190

Subject: Transmittal of Documents to Administrative Record  
MCAS El Toro, CA

Dear Mr. Selby:

Attached please find two copies each of the following documents:

- Marine Corps Air Station El Toro Installation Restoration Program Final Soil Gas Survey Technical Memorandum Sites 24 and 25. Revision 0. 31 October 1994.
- Letter from Gerard J. Thibeaut, RWQCB, to Dean Gould, BEC, "Waste Discharge Requirements, Order No. 96-18, NPDES No. CAG918001, Groundwater Cleanup Project, Former Marine Corps Air Station, El Toro, IRP Site 16 – Discharge Authorization No. 96-18-181. 21 February 2001.
- Letter from Dean Gould, BEC, to John Broderick, RWQCB Santa Ana Region. Agree to Disagree Compromise on CERCLA Permit Exclusion. 8 March 2001.
- Letter from John Broderick, RWQCB Santa Ana Region, to Dean Gould, BEC, "Proposal to Discharge Treated Groundwater from Former Marine Corps Air Station, El Toro, IRP Site 16, to Bee Canyon Wash." 26 January 2001.
- Letter from Dean Gould, BEC, to John Broderick, RWQCB Santa Ana Region. "Discharge Permitting at IRP Site 16, Marine Corps Air Station (MCAS) El Toro." 27 December 2000.

These documents are being transmitted to Ms. D. Silva for entry into the MCAS El Toro Administrative Record. Each document should be entered separately by the document date to facilitate retrieval.

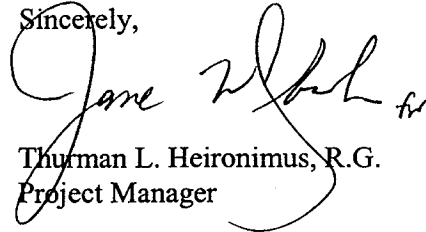
Also enclosed are copies of sheets from the MCAS El Toro Administrative Record Index. These sheets have been marked up to show information that should be added to the Administrative Record database to allow a complete site-specific index to be printed for IRP Site 16.

8/23/2001, 11:11 AM, bu l:\cleanii\cto\eltoro\cto164\transmit\tr-to-ar-8-23-01.doc

Mr. Richard Selby, Code 02R1  
August 23, 2001  
Page Two

If you have any questions or would like further information, please contact Jane Wilzbach at (619) 744-3029, or myself at (619) 744-3004.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane Wilzbach" with a large, stylized "J" and "W".

Thurman L. Heironimus, R.G.  
Project Manager

TLH/sp  
Enclosure